

THE NAVAJO NATION

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Navajo Nation Environmental Protection Agency –Air Quality Control/Operating Permit Program

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Detailed Information

Permitting Authority: Navajo Nation Environmental Protection Agency

County: Apache

State: Arizona

AFS Plant ID: 04-017-N0610

Facility: El Paso Natural Gas Company, LLC – Navajo Compressor Station

Document Type: STATEMENT OF BASIS

Part 71 Federal Operating Permit

Statement of Basis

El Paso Natural Gas Company, LLC (EPNG)

Navajo Compressor Station

Permit No. NN OP 19-003

1. Facility Information

a. Permittee

El Paso Natural Gas Company (EPNG), LLC

2 North Nevada Avenue

Colorado Springs, Colorado 80903

b. Facility Location

Section 24, Township 25-N, Range 24-E

31 miles North of Chambers, Arizona

c. Contact Information

Facility Contact:

Richard Duarte, Engineer – Air Compliance

Phone: (505) 831-7763

Responsible Official:

Joseph E. McLaughlin, VP

Phone: (713) 369-8763

Alternate Responsible Official:

Philip L. Baca, Division Director

Phone: (520) 663-4224

d. Description of Operations, Products:

The facility is a natural gas compressor station which performs gas inlet separation and natural gas compression and transmission.

e. Permitting and/or Construction History

The facility was placed in service in 1951 and consisted of two plants within the facility (A and B), 18 reciprocating engines for gas compression, and 5 auxiliary engines for power generation.

In 1991, El Paso Natural Gas Company (EPNG) received PSD permit AZP 90-2 for the installation of one Solar Centaur H simple cycle turbine with a Dry-Low NO_x (DLN) Combustor. In 1993, the facility was modernized with the replacement of A and B plants with new turbines in C and D plants.

The facility modernization consisted of the replacement of the Solar Centaur H with a Solar Taurus T6500, a simple cycle turbine with DLN (emission unit C-01). Also, the following units were installed: 3 turbines for gas compression (emission units C-02, D-01, and D-02), and 2 turbines for auxiliary power generation (emission Units AUX C-01 and AUX D-01).

Consent Decree CIV 93-0920PHXCAM: On August 5, 1993, EPNG and EPA entered into a consent decree to address the permitting issues regarding facility modernization. As a part of the consent decree, installation of emission unit C-01 was required in accordance with the PSD permit AZP 90-2 issued by EPA for the installation of Solar Centaur H. The Consent Decree additionally required that construction and operation of emission units AUX C-01 and AUX D-01 be in accordance with 40 CFR § 60, Subpart A and Subpart GG.

The source was issued PSD permit AZP 90-2 on October 25, 1991, and the following approvals:

- I. An amendment to Special Condition IX.D and IX.F was issued on September 7, 1999.
- II. An amendment to Special Condition IX.E.1.c and IX.F was issued on May 16, 2000.

The initial Title V permit for this facility was issued by EPA in 2000, along with minor revisions to PSD permit. The Title V permit was renewed by NNEPA in 2006 and 2012.

f. Permitted Emission Units and Control Equipment

Table 1 lists the permitted emission-generating units and activities at the facility.

Table 1. List of Emission Units

Unit ID	Unit Description	Maximum Capacity	Commenced Construction/ Installation Date	Associated Control Equipment
C-01	Natural gas-fired turbine, Simple cycle, Solar Taurus T6500- SLN with NO _x , CO & O ₂ CEMS	45.3 MMBtu/hr 5,304 hp	April 1992	Dry Low NO _x Combustor
C-02	Natural gas-fired turbine, regenerative cycle, GE Frame 3 (Model J)	95.7 MMBtu/hr 12,913 hp	January 1993	N/A
D-01	Natural gas-fired turbine, regenerative cycle, GE Frame 3 (Model F)	78.9 MMBtu/hr 10,784 hp	January 1993	N/A
D-02	Natural gas-fired turbine, regenerative cycle, GE Frame 3 (Model F)	78.9 MMBtu/hr 10,784 hp	January 1993	N/A
AUX C-01*	Natural gas-fired turbine (auxiliary power), Simple cycle, Solar Saturn 20	16.03 MMBtu/hr 1,160 hp	January 1993	N/A
AUX D-01**	Natural gas-fired turbine (auxiliary power), Simple cycle, Solar Saturn 20	16.03 MMBtu/hr 1,160 hp	January 1993	N/A

*The original build date is June 29, 1971

** The original build date is January 28, 1972

Horsepower capacities are based on site elevation at 60°F for turbine units C-01, C-02, D-01 and D-01

g. Insignificant Activities

This facility also emits pollutants at insignificant levels, as described in 40 CFR § 71.5(c)(11)(ii), as follows:

- i. Fugitive VOC emissions from connections, flanges, open-ended lines, valves, and other components.
- ii. Emissions released during the use of the emergency shutdown system and pressure relief valves.
- iii. Emissions released during blowdown activities (during startup and shutdown).
- iv. Fire pump and air compressor engine emissions

- v. Emissions released from any emission unit, operation, or activity that handles or stores a VOC or HAP organic liquid with a vapor pressure less than 1.5 psia.
- vi. List of storage tanks present at the source:

Tank No.	Date Installed	Capacity (gal)	Liquid Stored
T-01	1992	1692	Ambitrol
T-02	1991	8400	Turbine oil
T-03	unknown	1000	Used oil
T-04	unknown	1500	Water/Used oil

h. Emission Calculations

See Appendix A of this document for detailed calculations.

i. Potential to Emit

Potential to emit (PTE) means the maximum capacity of any stationary source to emit any CAA-regulated air pollutant under the source's physical and operational design. See 40 C.F.R. § 52.21(b)(4). Any physical or operational limitation on the maximum capacity of EPNG Navajo to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of fuel combusted, stored, or processed, must be treated as part of its design if the limitation is enforceable by US EPA. PTE is meant to be a worst-case emissions calculation and is used in many cases, though not all, to determine the applicability of federal requirements. Actual emissions may be much lower than PTE. The potentials to emit are presented in Tables 2 and 3 below.

Table 2. Potential to Emit of Criteria Air Pollutants

Emission Unit ID	Regulated Air Pollutants in tons per year (tpy)					
	PM ₁₀	SO ₂	NO _x	VOC	CO	Total HAPs
C-01	1.31	0.67	27.42	0.42	22.27	1.79
C-02	2.77	1.43	134.13	0.88	34.37	4.35
D-01	2.28	1.17	110.59	0.73	28.34	3.64
D-02	2.28	1.17	110.59	0.73	28.34	3.64
AUX C-01	0.46	0.24	22.47	0.15	5.76	0.40
AUX D-01	0.46	0.24	22.47	0.15	5.76	0.40
Insignificant Activities*	less than 5.00	-	-	less than 5.00	-	0.11
PTE of the Entire Source	14.57	4.93	427.66	8.04	124.83	14.42
Title V Major Source Thresholds	100	100	100	100	100	10 for a single HAP and 25 for total HAPs

*This is an estimate of emissions from blowdown activities and fugitive VOC from equipment leaks.

Table 3. Facility-Wide Greenhouse Gas Emissions Potential to Emit

Emission Unit	Greenhouse Gas Emissions (CO ₂ equivalent metric tons)
C-01	23,225
C-02	49,059
D-01	40,434
D-02	40,434
AUX C-01	8,215
AUX D-01	8,215
Total	169,583

2. Tribe Information

a. General

The Navajo Nation has the largest land base of any tribe in the United States, covering 27,425 square miles in three states: Arizona, Utah, and New Mexico. The Navajo Nation is currently home to more than 300,000 people. Industries on the reservation include oil and natural gas processing, coal mining, and tourism.

b. Local Air Quality and Attainment Status

All areas of the Navajo Nation are currently designated as attainment or unclassifiable for all pollutants for which a National Ambient Air Quality Standard (NAAQS) has been established.

3. Inapplicable Requirements

a. New Source Performance Standards (NSPS) for Stationary Combustion Turbines (40 CFR §§ 60.4300 – 60.4420; 40 CFR Part 60, Subpart KKKK)

On July 6, 2006, standards of performance for stationary combustion turbines (40 CFR §§ 60.4300-60.4420) were promulgated. This subpart applies to stationary combustion turbines that commence construction, modification, or reconstruction after February 18, 2005. This subpart does not apply to turbines located at EPNG Navajo because they were both installed prior to February 18, 2005 and have not been modified or reconstructed.

b. NSPS for SO₂ Emissions from Onshore Natural Gas Processing for which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and On or Before August 23, 2011(40 CFR §§ 60.640 – 60.648; 40 CFR Part 60, Subpart LLL)

These regulations apply to sweetening units and sulfur recovery units at onshore natural gas processing facilities. As defined in this subpart, sweetening units are process devices that separate hydrogen sulfide (H₂S) and carbon dioxide (CO₂) from a sour natural gas stream. Sulfur recovery units are defined as process devices that recover sulfur from the acid gas (consisting of H₂S and CO₂) removed from sour natural gas by a sweetening unit. There are no sweetening units or sulfur recovery units located at EPNG Navajo; therefore, this subpart does not apply.

c. NSPS for Equipment Leaks of VOC from Onshore Natural Gas Processing Plants for which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and On or Before August 23, 2011 (40 CFR §§ 60.630 – 60.636; 40 CFR Part 60, Subpart KKK)

These regulations apply to compressors and other equipment at onshore natural gas processing facilities. As defined in this subpart, a natural gas processing plant is any processing site engaged in the extraction of natural gas liquids (NGLs) from field gas, fractionation of mixed NGLs to natural gas products, or both. NGLs are defined as the hydrocarbons, such as ethane, propane, butane, and pentane that are extracted from field gas. EPNG Navajo neither extracts natural gas liquids from field gas nor fractionates mixed NGLs to natural gas products and thus does not meet the definition of a natural gas processing plant under this subpart. Therefore, subpart KKK does not apply.

d. **NSPS for Storage Vessels for Petroleum Liquids for which Construction, Reconstruction, or Modification Commenced after June 11, 1973, and Prior to May 19, 1978 (40 CFR §§ 60.110 - 60.113; 40 CFR Part 60, Subpart K)**

These regulations apply to storage vessels for petroleum liquids with storage capacities greater than 40,000 gallons and do not apply to storage vessels for petroleum or condensate stored, processed, and/or treated at a drilling and production facility prior to custody transfer. There is no storage tank with a capacity greater than 40,000 gallons located on-site at EPNG Navajo; therefore, this subpart does not apply.

e. **NSPS for Storage Vessels for Petroleum Liquids for which Construction, Reconstruction, or Modification Commenced after May 18, 1978, and Prior to July 23, 1984 (40 CFR §§ 60.110a - 60.115a; 40 CFR Part 60, Subpart Ka)**

These regulations apply to storage vessels for petroleum liquids with storage capacities greater than 40,000 gallons and do not apply to petroleum storage vessels with capacities of less than 420,000 gallons used for petroleum or condensate stored, processed, or treated prior to custody transfer. There is no storage tank with a capacity greater than 40,000 gallons located on-site at EPNG Navajo; therefore, this subpart does not apply.

f. **NSPS for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for which Construction, Reconstruction, or Modification Commenced after July 23, 1984 (40 CFR §§ 60.110b – 60.117b; 40 CFR Part 60, Subpart Kb)**

These regulations apply to storage vessels with capacities greater than or equal to 75 cubic meters (471 bbl). There is no storage tank with a capacity greater than 75 cubic meters located on-site at EPNG Navajo. The largest tank at the source, T-01, has a storage capacity of 31.8 cubic meters. Therefore, Subpart Kb does not apply.

g. **NSPS for Stationary Compression Ignition Internal Combustion Engines (40 CFR §§ 60.4200 – 60.4219; 40 CFR Part 60, Subpart IIII)**

These regulations establish emission standards and compliance requirements to control emissions from compression ignition (CI) internal combustion engines (ICE) that commence construction, modification or reconstruction after July 11, 2005, where the CI ICE have been manufactured after specified dates. For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator. There are no ICE located at EPNG Navajo; therefore, subpart IIII does not apply.

h. NSPS for Stationary Spark Ignition Internal Combustion Engines (40 CFR §§ 60.4230 – 60.4248; 40 CFR Part 60, Subpart JJJJ)

These regulations establish emission standards and compliance requirements to control emissions from spark ignition (SI) internal combustion engines (ICE) that commence construction, modification or reconstruction after June 12, 2006, where the SI ICE are manufactured on or after specified dates. There are no SI ICE located at EPNG Navajo; therefore, subpart JJJJ does not apply.

i. NSPS for Crude Oil and Natural Gas Production, Transmission and Distribution (40 CFR §§ 60.5360 – 60.5430; 40 CFR Part 60, Subpart OOOO)

These regulations establish emission standards and compliance schedules to control volatile organic compounds (VOC) and sulfur dioxide (SO₂) emissions from affected facilities that commence construction, modification or reconstruction after August 23, 2011. No equipment at the EPNG Navajo was constructed, modified or reconstructed after August 23, 2011; therefore, subpart OOOO does not apply.

j. NSPS for Crude Oil and Natural Gas Facilities (40 CFR §§ 60.5360a – 60.5499a; 40 CFR Part 60, Subpart OOOOa)

These regulations establish emission standards and compliance schedules for the control of the pollutant greenhouse gases (GHG) from affected facilities that commence construction, modification or reconstruction after September 18, 2015. No equipment at the EPNG Navajo was constructed, modified or reconstructed after September 18, 2015; therefore, subpart OOOOa does not apply.

k. National Emission Standards for Hazardous Air Pollutants (NESHAP) from Oil and Natural Gas Production Facilities (40 CFR §§ 63.760 – 63.779; 40 CFR Part 63, Subpart HH)

These regulations apply to affected units located at oil and natural gas production facilities that are major sources or area sources of hazardous air pollutants (HAPs), as defined in 40 CFR § 63.761, and that process, upgrade, or store hydrocarbon liquids prior to the point of custody transfer, or that process, upgrade, or store natural gas prior to the point at which natural gas enters the natural gas transmission and storage source category or is delivered to a final end user. Affected units for major sources are glycol dehydration units, storage vessels with the potential for flash emissions, groups of ancillary equipment (except compressors) located at natural gas processing plants that are intended to operate in volatile HAP service, and compressors located at natural gas processing plants that are intended to operate in volatile HAP service. Affected units for area sources consist of triethylene glycol (TEG) dehydration units. EPNG Navajo is not an oil or natural gas production facility; therefore, subpart HH does not apply.

l. NESHAP from Natural Gas Transmission and Storage Facilities (40 CFR §§ 63.1270 – 63.1289; 40 CFR Part 63, Subpart HHH)

These regulations apply to natural gas transmission and storage facilities that transport or store natural gas prior its entrance into a pipeline to a local distribution company or to a final end user and that are major sources of hazardous air pollutants (HAP), as defined in 40 CFR § 63.1271. The facilities covered by this source category include underground natural gas storage operations and natural gas compressor stations that receive natural gas via pipeline, from underground natural gas storage operations, or from natural gas processing plants. This subpart only applies to facilities that contain affected units, which consist of glycol dehydration units under 40 CFR § 63.1270(b). The EPNG Navajo compressor station does not have any glycol dehydration units and is an area source of HAPs. Therefore, subpart HHH does not apply.

m. NESHAP for Stationary Combustion Turbines (40 CFR §§ 63.6080 – 63.6175; 40 CFR Part 63, Subpart YYYY)

These regulations establish emission and operating limitations for hazardous air pollutant (HAP) emissions from existing, new, or reconstructed stationary combustion turbines located at major sources of HAP emissions as well as compliance requirements related to such limitations. A major source of HAP emissions is a source that emits or has the potential to emit 10 tpy of a single HAP or 25 tpy of a combination of HAPs. Under 40 CFR § 63.6090(b)(4), existing stationary combustion turbines that commenced construction or reconstruction on or before January 14, 2003 do not have to meet the requirements of this subpart. EPNG Navajo is an area source of HAP emissions and turbines C-01, C-02, D-01, D-02, AUX C-01 and AUX D-01 at the facility were constructed before January 14, 2003. Therefore, the turbines located at the facility are not subject to subpart YYYY.

n. NESHAP for Reciprocating Internal Combustion Engine (40 CFR §§ 63.6580 – 63.6675, Subpart ZZZZ)

This rule establishes national emission limitations and operating limitations for HAPs emitted from stationary spark ignition internal combustion engines (SI ICE) and stationary compression ignition internal combustion engines (CI ICE). There are no engines located at this source, therefore subpart ZZZZ does not apply.

o. Acid Rain Program (40 CFR §§ 72 – 78)

These regulations establish general provisions and operating permit program requirements for affected sources containing affected units. EPNG Navajo does not contain any affected units, as specified in 40 CFR § 72.6(a). Therefore, the emission units at EPNG Navajo are not subject to requirements of the Acid Rain Program.

p. Compliance Assurance Monitoring (CAM) Program (40 CFR § 64)

These regulations apply to pollutant-specific emission units at major sources that are required to obtain 40 CFR part 70 or 71 permits where a unit is subject to an emission limitation or standard for the applicable regulated air pollutant, uses a control device to achieve compliance with such limitation or standard, and has potential pre-control device emissions of the applicable regulated air pollutant that equal or exceed the amount required for the source to be classified as a major source.

Pursuant to the PSD Permit AZP 90-2 Condition IX.B, emission unit C-01 operates a Dry Low-NOx Combustor for control of NOx emissions. A Dry Low-NOx Combustor is not considered a control device as defined in 40 CFR § 64.1 because it acts as a passive control measure to prevent pollutants from forming. CAM does not apply to turbine C-01 because the part 71 permit incorporates the PSD permit AZP 90-2 condition IX.E use of a continuous emission monitoring system (CEMS) as a compliance determination method in Condition II.A of this permit. 40 CFR § 64.2(b)(1)(vi) exempts emission limits from triggering CAM if the Title V permit requires a continuous compliance determination method”. A CEMS meets the definition of this term. Therefore, turbine C-01 is exempt from CAM requirement for NOx and CO.

The emission units C-02, D-01, D-02, AUX C-01 and AUX D-01 do not operate a control device (as the term is defined in 40 CFR § 64.1), thus CAM does not apply to any emission units at EPNG Navajo. Therefore, pursuant to 40 CFR § 64.2, the requirements of 40 CFR Part 64 are not applicable.

4. Applicable Requirements

The following requirements apply to the Navajo compressor station.

Table 4. Summary of Applicable Federal Requirements.

Applicable Requirement	Emission Point/Unit
Federal Air Quality Requirement	C-01, C-02, D-01, D-02, AUX C-01, AUX D-01
PSD permit No. AZP 90-2	C-01
NSPS Subpart A (General Provisions)	C-01, C-02, D-01, D-02, AUX C-01, AUX D-01
NSPS Subpart GG (Gas Turbines)	C-01, C-02, D-01, D-02, AUX C-01, AUXD-01
Asbestos NESHAP (40 CFR 61, Subpart M)	Facility Wide
Protection of Stratospheric Ozone (40 CFR Part 82)	Facility Wide

a. Prevention of Significant Deterioration (PSD)

The EPNG Navajo compressor station is not one of the 28 source categories defined in 40 CFR § 52.21(b)(1)(i)(a) but has the potential to emit more than 250 tons per year of NO_x under 40 CFR § 52.21(b)(1)(i)(b). Therefore, this source is an existing major stationary source and is subject to PSD requirements for any major modification that will result in a significant emission increase pursuant to 40 CFR 52.21(a)(2).

On October 25, 1991 EPA issued PSD Permit NO. AZP 90-2 to EPNG for the installation and operation of one Solar Centaur H gas transmission turbine. Pursuant to the Consent Decree CIV 93-0920PHXCAM, all the conditions contained in the PSD Permit for the installation of the Solar Centaur H applies to unit C-01.

On May 16, 2000, US EPA issued a modification to the original PSD permit (AZP 90-2) to remove Special Conditions IX.E.1.c and IX.F.

The following conditions are included from the PSD permit:

- i. The permittee shall install, and continuously operate for control of NO_x emissions, a Dry Low-NO_x Combustor. [PSD Permit AZP 90-2 Condition IX.B]
- ii. The permittee shall conduct performance tests for NO_x and CO on an annual basis and at the maximum operating capacity of the facility being tested. [PSD Permit AZP 90-2 Condition IX.C.1.a]
- iii. The permittee shall not discharge or cause the discharge into the atmosphere NO_x (as NO₂) in excess of the more stringent of 6.26 lb/hr or 42 ppmvd of NO_x at 15% O₂ (3-hour rolling average, at ISO conditions) from the stack venting the combustion unit. [PSD Permit AZP 90-2 Condition IX.D]
- iv. The permittee shall not discharge or cause the discharge into the atmosphere CO in excess of the more stringent of 5.084 lb/hr or 50 ppmvd of CO at 15% O₂ (3-hour rolling average, at ISO conditions) from the stack venting the combustion unit. [PSD Permit AZP 90-2 Condition IX.D]
- v. The permittee shall not discharge or cause the discharge into the atmosphere any gases with opacity in excess of 10% (six-minute rolling average) from stack venting the combustion unit. [PSD Permit AZP 90-2 Condition IX.D]
- vi. The permittee shall install, maintain and operate continuous monitoring system to measure stack gas NO_x, CO and O₂ in the stack venting combustion unit. [PSD Permit AZP 90-2 Condition IX.E.1.a]

b. New Source Performance Standard (NSPS) for Stationary Gas Turbines (40 CFR §§ 60.330-60.335; 40 CFR Part 60, Subpart GG)

These regulations apply to stationary gas turbines with a heat input at peak load equal to or greater than 10.7 gigajoules (10 million Btu) per hour, based on the lower heating value of the fuel fired that were constructed or modified after October 3, 1977. There are six natural gas-fired turbines, C-01, C-02, D-01, D-02, AUX C-01 and AUX D-01, at EPNG Navajo.

i. Streamlining NO_x Emission Limits

Emission unit C-01 is an existing stationary gas turbine with a heat input at peak load greater than 10 MMBtu/hr and was constructed in 1993 after the applicability date of NSPS, Subpart GG. Pursuant to 40 CFR §§ 60.330 and 60.332(c), the permittee shall comply with the NO_x emission limit for unit C-01. Pursuant to 40 CFR § 60.332(a)(2), NO_x limit from turbine C-01 is 170 ppm. The NO_x emission limit required by Subpart GG was calculated using actual measured heat rate based on lower heating value of fuel as measured at actual peak load at ambient temperature of 40°F during the performance testing conducted on April 19, 2010.

In addition, compliance with the PSD BACT limit of 6.26 lb/hr or 42 ppmvd NO_x at 15% O₂ (3-hour rolling average, ISO conditions), which was established in PSD Permit AZP 90-2, ensures compliance with the NO_x emission limit in 40 CFR 60.332(a) for turbine C-01. This limit is equivalent to 0.0042 percent by volume, which is less than the maximum allowable NO_x emission concentration of 0.0170 percent by volume (4- hour rolling average, ISO condition) required under the NSPS Subpart GG.

Both the PSD permit and the NSPS General Provisions require that an additional source test be conducted within 60 days after achieving the maximum production rate of the affected emission units, but no later than 180 days after the initial startup of the equipment. The NSPS does not require any on-going performance testing for NO_x. The PSD permit requires the facility to maintain and operate a CEMS, and to conduct an annual performance test for NO_x. Thus, the monitoring associated with the streamlined emission limit is more stringent than the monitoring required by the subsumed NSPS emission limit, and will be retained in the Title V permit.

- ii. Pursuant to 40 CFR § 60.332(l), emission units C-02, D-01, and D-02 are exempt from the NO_x emission limitation standards because these units are classified as regenerative cycle gas turbines with a heat input less than 107.2 gigajoules per hour (100 million Btu/hour).

- iii. The manufactured date of emission units AUX C-01 and AUX D-01 predate the October 3, 1977 effective date of the NSPS for the turbines. These units are exempt from the NO_x emission limitation in accordance with 40 CFR § 60.332(e), because they were manufactured prior to October 3, 1982. The original build date for AUX C-01 is June 29, 1971 and for AUX D-01 is January 28, 1972.
- iv. Pursuant to 40 CFR § 60.333(b), the total sulfur contained in the fuel combusted in any stationary gas turbine shall not exceed 0.8 percent by weight (8,000 ppmw).

The permittee has elected not to monitor the total sulfur content of the NG combusted in turbines (emission units C-01, C-02, D-01, D-02, AUX C-01 and AUX D-01) by using the natural gas which meets the definition in 40 CFR § 60.331(u), pursuant to 40 CFR § 60.334(h)(3). The permittee has provided an excerpt from its current tariff from the Federal Energy Regulatory Commission (FERC) demonstrating that the fuel delivered to this plant satisfied the "natural gas" definition in 40 CFR 60.331(u). No further compliance monitoring requirements under this NSPS are applicable to turbines C-01, C-02, D-01, D-02, AUX C-01 and AUX D-01.

c. Asbestos NESHAP (40 CFR § 61, Subpart M)

EPNG Navajo is subject to the national emission standard for asbestos, 40 CFR Part 61, Subpart M, for all renovation and demolition projects, as specified in the permit document.

d. Stratospheric Ozone Protection (40 CFR § 82)

EPNG Navajo is subject to the requirements for protecting stratospheric ozone under 40 CFR Part 82. Applicable requirements are specified in the permit document.

Table 5. Incorporation of Applicable Requirements into the Part 71 Permit

Requirement	Condition/ Section	Condition in Pt. 71 Permit	Description/Notes
PSD permit AZP 90-2	I	n/a	Permit expiration
	II	n/a	Notification of commencement of construction and operation (one-time only)
	III	II.A.14	Facility operation
	IV	II.A.15	Notification of malfunction
	V	IV.N	Right of entry

	VI	II.A.16	Transfer of ownership
	VII	IV.F	Severability
	VIII	II.A.17	Other applicable regulations
	IX.A	n/a	certification of installation of low-NOx combustor, CEMS (one-time only)
	IX.A	II.C	40 CFR 60 Subpart GG requirements
	IX.B	II.A.4	operating low-NOx combustor
	IX.C.1.a	II.A.5	turbine performance test (turbine C-01)
	IX.C.1.b	II.A.5	turbine performance test (low-NOx combustor on turbine C-01)
	IX.C.2	II.A.6	performance test methods for NOx, CO
	IX.C.2	II.A.7	30 day notification
	IX.C.3	II.A.8	access to sampling ports
	IX.D	n/a	NOx limit for turbine C-01 before installation of low-NOx burner
	IX.D	II.A.1	NOx limit for turbine C-01, for low NOx burner
	IX.D	II.A.2	CO limit for turbine C-01
	IX.D	II.A.3	opacity limit for turbine C-01
	IX.D	n/a	revision of NOx and CO emission rates (time frame for revision is over)
	IX.D	n/a	disallowance of offset generation (BACT limits will not be revised)
	IX.E.1.a	II.A.9.a	operation of CEMS for NOx, CO
	IX.E.1.b	II.A.9.b	stack gas volumetric flow rate
	IX.E.1.c	n/a	permit amendment (condition deleted)
	IX.E.2	n/a	notification of CEMS installation (one-time only)
	IX.E.2	II.A.10	alternative to CEMS
	IX.E.3	II.A.13	excess emissions reporting
	IX.E.6	II.A.11	maintain quality assurance for CEMS
	IX.E.7	II.A.12	recordkeeping requirements
	IX.F	n/a	permit amendment (condition deleted)
	section X	II.A-II.C	Agency notifications
40 CFR Part 60 NSPS Subpart A	60.1	n/a	Applicability (no requirements)
	60.2	n/a	Definitions (no requirements)

	60.3	n/a	Units and abbreviations (no requirements)
	60.4(a)	II.B.1	Submit reports to EPA Region IX and NNEPA
	60.4(b)	n/a	Submit reports to delegated agencies (Tribe is not the delegated authority for NSPS)
	60.5	n/a	Applicability determinations (places requirements on US EPA, not the facility)
	60.6	n/a	Review of plans (places requirements on US EPA, not the facility)
	60.7(a)	n/a	Notification of construction or reconstruction (one-time only)
	60.7(b)	II.B.2	Records of startup, shutdown, and malfunction
	60.7(c)	n/a	CEMS reporting (facility has CEMS, but this is not required by NSPS)
	60.7(d)	n/a	Report format for CEMS reporting (facility has CEMS, but is not required by NSPS)
	60.7(e)	n/a	Reporting frequency (standard does not require reporting more than semiannually)
	60.7(f)	n/a	Maintain monitoring records (PSD permit requires 5 years)
	60.7(g)	n/a	Notification required by state/local agency (no such notification required)
	60.7(h)	n/a	Disclaimer that subpart may clarify or make inapplicable any general provisions
	60.8	n/a	Initial performance tests (one-time only)
	60.9	II.B.3	Availability of information
	60.10	n/a	State authority (no requirements)
	60.11(a)	II.B.4	Compliance with non-opacity standards
	60.11(b)	n/a	Compliance with opacity standards (facility is not subject to opacity standard)
	60.11(c)	n/a	Times when opacity standards apply (facility is not subject to opacity standard)
	60.11(d)	II.B.5	Good practice to minimize emissions
	60.11(e)	n/a	Compliance with opacity standards (none)
	60.11(f)	n/a	Special provisions in subpart supersede general provisions (no requirements)
	60.11(g)	II.B.6	Credible evidence
	60.12	II.B.7	Circumvention
	60.13	n/a	CEMS requirements (facility has CEMS, but this is not required by NSPS)
	60.14	n/a	Applies to modifications

	60.15	n/a	Applies to reconstruction
	60.16	n/a	Priority list (no requirements)
	60.17	n/a	Incorporation of test methods by reference
	60.18	n/a	Requirements for flares (facility does not use flares to comply with NSPS)
	60.19	II.B.8	General notification and reporting
40 CFR Part 60 NSPS Subpart GG	60.330	n/a	Applicability (no requirements)
	60.331	II.C.1	Definitions (gaseous fuel meets the definition of natural gas in § 60.331(u))
	60.332	n/a	standard for nitrogen oxides (PSD BACT NOx limit for unit C-01, 60.332(l) exempts unit C-02, D-01, D-02 since these units are classified as regenerative cycle turbines with heat input < 100 MMBtu/hr), and 60.332(e) exempts units AUX C-01 and AUX D-01 from NOx standard
	60.333	II.C.1	Standard for sulfur oxides (fuel sulfur standard)
	60.334(a)	n/a	Monitoring of water, fuel for NOx control (the turbine does not use water injection to control NOx)
	60.334(b) & (c)	II.C.3- II.C.5	CEMS requirements
	60.334(d) through (g)	n/a	Monitoring of water, fuel for NOx control for turbines constructed after July 8, 2004 (the turbine does not use water injection and was constructed before 2004)
	60.334(h)	II.C.2	Monitoring of fuel sulfur content
	60.335	II.C.6-II.C.9	Test methods and procedures
Asbestos NESHAP 40 CFR Part 61 Subpart M	61.140 through 61.157	III.E	Requirements for demolition and renovation at facilities containing asbestos
Stratospheric Ozone Protection	82	III.D	Requirements for treatment of class I and class II substances

EPA promulgated a Federal Implementation Plan for preconstruction review of new and modified major sources in nonattainment areas and of new and modified minor sources and minor modifications at major sources in both attainment and nonattainment areas, which became effective on August 30, 2011. (*See* 76 FR 38748, July 1, 2011.) These regulations, codified in 40 CFR Parts 49 and 51, establish pre-construction review requirements for sources

that will be incorporated in Part 71 federal operating permits. EPNG Navajo is not currently constructing new emission units or modifying existing emission units. In the future, if the facility constructs new emission units or modifies existing emission units, it may be required to obtain a permit from US EPA prior to construction.

5. Monitoring

With one exception, the monitoring in the Title V permit is identical to the monitoring in the US EPA-issued PSD permit. The additional monitoring requirement included in the Title V permit comes from NSPS Subpart GG. Subpart GG was revised on July 8, 2004 and included changes to the monitoring requirements for sulfur content in fuel. The Title V permit monitoring is summarized below.

Table 6. Monitoring in the Title V Permit

Requirement	Requirement Condition #	Monitoring from Underlying Requirement	Monitoring Added to Part 71 Permit	Monitoring Condition #
Fuel Sulfur Content limit from gas turbines C-01, C-02, D-01, D-02, AUX C-01, and AUX D-01	II.C.1	Fuel sampling data or gas tariff certification that only natural gas is used	none	II.C.3
NOx limit from gas turbine C-01	II.A.1	CEMS & annual source test	none	II.A.5 & II.A.9
CO limit from gas turbine C-01	II.A.2	CEMS & annual source test	none	II.A.5 & II.A.9
Opacity Limit from gas turbine C-01	II.A.3		visible emissions /opacity test after 400 hours firing on fuel other than natural gas	II.C.10

6. Endangered Species Act

Pursuant to Section 7 of the Endangered Species Act (ESA), 16 U.S.C. § 1536, and its implementing regulations at 50 CFR Part 402, US EPA is required to ensure that any action authorized, funded, or carried out by US EPA is not likely to jeopardize the continued existence of any federally listed endangered species or threatened species or result in the destruction or adverse modification of the designated critical habitat of any such species. NNEPA is issuing this federal Part 71 permit pursuant to a delegation from US EPA. However, this permit does not authorize the construction of new emission units or emission increases from existing units, nor does it otherwise authorize any other physical modifications to the facility or its operations. Therefore, NNEPA and US EPA have

concluded that the issuance of this permit will have no effect on listed species or their critical habitat.

7. Use of All Credible Evidence

Determinations of deviations from, continuous or intermittent compliance with, or violations of the permit are not limited to the testing or monitoring methods required by the underlying regulations or this permit. Other credible evidence (including any evidence admissible under the Federal Rules of Evidence) must be considered by EPNG Navajo, NNEPA and US EPA in such determinations.

8. NNEPA Authority

Authority to administer a Part 71 Permit Program was delegated to NNEPA by US EPA in part on October 13, 2004 and in whole on March 21, 2006. In delegating to NNEPA the authority to administer the Part 71 operating permit program, US EPA determined that NNEPA had adequate independent authority to administer the program, as required by 40 CFR § 71.10(a). Specifically, US EPA found NNEPA had adequate permit processing requirements and adequate permit enforcement-related investigatory authorities. Delegation Agreement between US EPA Region IX and NNEPA, §§ IV, V, VI.1, IX.2. Moreover, before waiving its collection of fees under 40 CFR § 71.9(c)(2)(ii), US EPA determined that NNEPA could collect sufficient revenue under its own authorities to fund a delegated Part 71 Program. Delegation Agreement at 1 and § II.2.

The Title V Permit therefore refers both to federal and to tribal provisions. When federal and tribal provisions are cited in parallel, the tribal provisions are identical to the federal provisions and compliance with the federal provision will constitute compliance with the tribal counterpart. Parallel tribal citations do not create any new requirements or impact the federal enforceability of the cited Part 71 requirements. All federal terms and conditions of the permit will be enforceable both by NNEPA and US EPA, as well as by citizens, under the federal Clean Air Act.

The provisions of Navajo law referenced in the permit will only be enforceable by NNEPA and will be enforced by NNEPA under the Navajo Nation Operating Permit Regulations and the Navajo Nation Air Pollution Prevention and Control Act, 4 N.N.C. §§ 1101-1162. Proposed Section IV.A (Fee Payment) refers only to the NNOPR as its source of authority because US EPA waived its collection of fees, as discussed above. This provision will be tribally enforceable only.

9. Public Participation

a. Public Notice

As described in 40 C.F.R. § 71.11(a)(5) and NNOPR § 403(A), all draft operating permits shall be publicly noticed and made available for public comment. The

public notice requirements for permit actions and the public comment period are described in 40 C.F.R. § 71.11(d) and NNOPR § 403.

Public notice of this proposed permit action will be provided to EPNG Navajo, US EPA Region IX, and the affected state, local and tribal governments. A copy of the notice will also be provided to all persons who submitted a written request to be included on the mailing list.

Public notice will be published in a daily or weekly newspaper of general circulation in the area affected by this source.

b. Response to Comments

NNEPA will respond to all significant comments received on the draft Part 71 permit.